

REMARKS

Present Status of the Application

Claims 1-5, 7-11, 13-17, and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Vincent* (US Publication No. 2004/0015953, hereinafter “*Vincent*”) in view of *Zhang et al.* (US Patent No. 7,228,539, hereinafter “*Zhang*”).

Claims 6 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Vincent* in view of *Harrow et al.* (US Publication No. 2003/0074403, hereinafter “*Harrow*”).

Claims 12 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Vincent* in view of *Zhang*.

Response to Claim Rejections under 35 U.S.C. 103(a)

Claims 1-5, 7-11, 13-17, and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vincent in view of Zhang. Claims 6 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vincent in view of Harrow. Claims 12 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vincent in view of Zhang.

In the response made by the Examiner, it recites that “as acknowledged by the office action that *Vincent* does not disclose first-client server communicates with system server using interversion protocol.” Apparently, the Examiner also admits that “*Vincent* does not disclose first-client server communicates with system server using interversion protocol.” In fact, from the specification of *Vincent*, it is concluded that:

1. *Vincent* does not disclose first-client server; and
2. *Vincent* does not disclose communicating using interversion protocol.

Since the Examiner cannot find any element from *Vincent* to correspond to the first-client server of the present application, it is hard to say that, from *Vincent*, persons skilled in the art can “imagine” the first-client server and “derive” that first-client server communicates with system server using interversion protocol.

To avoid misunderstanding, the Applicant herein restates that the main feature of the present application is to “**dispose two client servers in the user terminal to respectively communication with two servers of a system server through different types of protocols.**” As shown in Fig. 2 of the present application, the user terminal 18-1 comprises a first client-server structure 24, a second client-server structure 26 and an agent 28, wherein the first client-server structure 24 communicates with a first server 12-1 of the system server 12 using the interversion protocol (IVP) and the second client-server structure 26 communicates with a second server 12-2 of the system server 12 using the file transfer protocol (FTP). Through the cooperation of the two client servers (first client-server structure 24 and a second client-server structure 26) and the two protocols (IVP and FTP), the user terminal of the present application is able to perform software update.

However, *Vincent* only discloses that a single user computer transfers files using FTP, which neither teaches the two-server structure nor teaches the cooperation of two protocols of the present application. Even though *Zhang* discloses the inter-server communication, person skilled in the art has no motivation to add one more client server

to the user terminal of *Vincent*, no mention to apply the IVP of *Zhang* to cooperate with FTP of *Vincent*.

Based on the above, it is believed that *Vincent*, *Zhang*, and *Harrow*, alone or in combination, do not disclose distinguishable feature of claim 1, thus the *prima facie* case of obviousness has not yet been established. Withdrawal of the rejection of claim 1 and its dependent claims 2-8 is respectfully requested.

The Examiner applied the same rejection to independent claims 10 and 17. However, as recited in the above, person skilled in the art has no motivation to combine the IVP of *Zhang* with the FTP of *Vincent* and it is believed that *Vincent*, *Zhang*, and *Harrow*, alone or in combination, do not disclose distinguishable feature of claims 10 and 17, thus the *prima facie* case of obviousness has not yet been established. Withdrawal of the rejection of claims 10 and 17 and their dependent claims 11-16 and 20-25 is respectfully requested.

CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-17 and 20-25 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Office believes that a telephone conference would expedite the examination of the above-identified patent application, the Office is invited to call the undersigned.

Respectfully submitted,

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